

**2013 DRAFTING REQUEST**

**Bill**

Received: **1/6/2013** Received By: **tkuczens**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget 266-1037** By/Representing: **Hynek**  
May Contact: Drafter: **tkuczens**  
Subject: **Education - choice programs** Addl. Drafters:  
Extra Copies: **pg, ffk**

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**

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**Pre Topic:**

DOA:.....Hynek, BB0326 -

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**Topic:**

Choice Schools in Multiple Programs

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 1/9/2013			_____			
/P1	tkuczens 2/13/2013	jdye 2/13/2013	phenry 2/13/2013	_____	sbasford 1/10/2013		
/P2				_____	lparisi 2/13/2013		

FE Sent For:

**<END>**

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/?	tkuczens 1/9/2013	p2 2/13 jld	1/12	1/13	ph 1/13		
/P1		jdye 1/10/2013	phenry 1/10/2013		sbasford 1/10/2013		

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/?	tkuczens	P1 1/10 jld	1/10 ph	F			

FE Sent For:

<END>

## Grant, Peter

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**From:** Hanaman, Cathlene  
**Sent:** Wednesday, January 02, 2013 8:10 AM  
**To:** Knepp, Fern; Kuczinski, Tracy; Grant, Peter  
**Subject:** FW: Statutory Language Drafting Request - BB0326

**From:** [Sara.Hynek@Wisconsin.gov](mailto:Sara.Hynek@Wisconsin.gov) [<mailto:Sara.Hynek@Wisconsin.gov>]  
**Sent:** Friday, December 28, 2012 11:00 AM  
**To:** Hanaman, Cathlene  
**Cc:** Hynek, Sara - DOA; Hynek, Sara - DOA; Thornton, Scott - DOA  
**Subject:** Statutory Language Drafting Request - BB0326

**Biennial Budget:** 2013-15

**DOA Tracking Code:** BB0326

**Topic:** Choice Schools in Multiple Programs

**SBO Team:** EWD

**SBO Analyst:** Hynek, Sara - DOA  
**Phone:** (608) 266-1037  
**E-mail:** [Sara.Hynek@Wisconsin.gov](mailto:Sara.Hynek@Wisconsin.gov)

**Agency Acronym:** DPI

**Agency Number:** 255

**Priority:** Medium

**Intent:**

Permit choice schools to notify DPI only once of intent to participate in choice schools.

Current language states that students can attend a private school through the choice program if the private school has notified DPI of its intent to participate in the program "under this section." Rather than having a school have to notify DPI under each separate choice program, permit one notification, one fee, and participation in all choice programs at once.

**Attachments:** False

Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)

118.60 (2)(a) 3. a

118.60 (2)(a) 7.  
(5)

119.23 (2)(a) 3.

(2)(a) 7. b and c.  
(5)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-10272-P1

TKK:.....

Handwritten signature/initials

DOA:.....Hyneck, BB0326 - Choice Schools in Multiple Programs

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

In 1/9/12

x

1

don't gen  
AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, in order to participate in the Milwaukee Parental Choice Program (MPCP), a private school must notify DPI of its intent to participate in the MPCP and pay a fee established by DPI; in order to participate in the Racine Parental Choice Program (RPCP), the private school must separately notify DPI of its intent to participate in the RPCP and pay a fee established by DPI. Current law also requires a private school to obtain accreditation from an accrediting entity or organization in order to participate in a choice program. In addition, current law requires DPI to provide pupils who are eligible to enroll in a participating private school, or the parents or guardians of those pupils, with a list of the names of any such participating private school.

This bill provides that a private school may participate in the MPCP if it has paid the fee to and notified DPI of its intent to participate in the RPCP, and may participate in the RPCP if it has paid the fee to and notified DPI of its intent to participate in the MPCP. The bill also clarifies that a participating private school that has satisfied the accreditation requirements under one choice program also satisfies the accreditation requirements to participate in the other choice program.

Finally, the bill requires DPI to provide eligible pupils or their parents or guardians of a list of private schools participating in both the MPCP and the RPCP.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 118.60 (2) (a) 3. a. <sup>X</sup>of the statutes is amended to read:

2           118.60 (2) (a) 3. a. Except as provided in subd. 3. b., the private school notified  
3 the state superintendent of its intent to participate in the program under this section  
4 or in the program under s. 119.23,<sup>✓</sup> and paid the nonrefundable fee, set by the  
5 department as required under s. 119.23 (2) (a) 3., by February 1 of the previous school  
6 year. The notice shall specify the number of pupils participating in the program  
7 under this section and in the program under s. 119.23<sup>✓</sup> for which the school has space.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

8           **SECTION 2.** 118.60 (2) (a) 7. <sup>X</sup>of the statutes is amended to read:

9           118.60 (2) (a) 7. For a private school that is a first-time participant in the  
10 program under this section or in the program under s. 119.23,<sup>✓</sup> and that is not  
11 accredited by Wisconsin North Central Association, Wisconsin Religious and  
12 Independent School Accreditation, Independent Schools Association of the Central  
13 States, Wisconsin Evangelical Lutheran Synod School Accreditation, National  
14 Lutheran School Accreditation, the diocese or archdiocese within which the private  
15 school is located, or by any other organization recognized by the National Council for  
16 Private Schools Accreditation, the private school obtains preaccreditation by the  
17 Institute for the Transformation of Learning at Marquette University, Wisconsin  
18 North Central Association, Wisconsin Religious and Independent Schools  
19 Accreditation, Independent Schools Association of the Central States, Wisconsin  
20 Evangelical Lutheran Synod School Accreditation, National Lutheran School  
21 Accreditation, or the diocese or archdiocese within which the private school is located

1 by September 1 before the first school term of participation in the program under this  
2 section or in the program under s. 119.23 that begins after August 31, 2011; by  
3 August 1 before the first school term of participation in the program under this  
4 section that begins in the first school year that begins after a school district is  
5 identified as an eligible school district under sub. (1m) or 2011 Wisconsin Act 32,  
6 section 9137 (3u); or by May 1 if the private school begins participation in the  
7 program under this section or under s. 119.23 during summer school. In any school  
8 year, a private school may apply for and seek to obtain preaccreditation from only one  
9 of the entities enumerated in this subdivision. A private school that fails to obtain  
10 accreditation in a school year may apply for and seek to obtain preaccreditation from  
11 one of the entities enumerated in this subdivision in the following school year. The  
12 private school shall achieve accreditation by Wisconsin North Central Association,  
13 Wisconsin Religious and Independent Schools Accreditation, Independent Schools  
14 Association of the Central States, Wisconsin Evangelical Lutheran Synod School  
15 Accreditation, National Lutheran School Accreditation, the diocese or archdiocese  
16 within which the private school is located, or any other organization recognized by  
17 the National Council for Private School Accreditation, by December 31 of the 3rd  
18 school year following the first school year in which the private school begins  
19 participation in the program under this section or in the program under s. 119.23.  
20 If the private school is accredited under this subdivision, the private school is not  
21 required to obtain preaccreditation as a prerequisite to providing instruction under  
22 this section in additional grades or in an additional or new school.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

\*\*\*\*NOTE: I amended this provision to clarify that a private school that has obtained accreditation as required under this s. 118.60 (2) (a) 7. would not need to separately obtain accreditation in order to participate in the program under s. 119.23. I made similar amendments to s. 119.23 (2) (a) 7., below. Please let me know if this is not consistent with your intent.



1           **SECTION 3.** 118.60 (5) of the statutes is amended to read:

2           118.60 (5) The state superintendent shall ensure that pupils and parents and  
3 guardians of pupils who reside in an eligible school district are informed annually  
4 of the private schools participating in the program under this section and in the  
5 program under s. 119.23.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

\*\*\*\*NOTE: I amended this s. 118.60 (5) to ensure that DPI informs pupils of any  
schools that have identified themselves as participating in one program but not the other.  
See, also, the treatment of s. 119.23 (5), below. Please let me know if this is not consistent  
with your intent.

6           **SECTION 4.** 119.23 (2) (a) 3. of the statutes is amended to read:

7           119.23 (2) (a) 3. Except as provided in subd. 3m. b., the private school notified  
8 the state superintendent of its intent to participate in the program under this section  
9 or in the program under s. 118.60, and paid ~~the~~ <sup>strike</sup> nonrefundable annual fee set by  
10 the department, by February 1 of the previous school year. The notice shall specify  
11 the number of pupils participating in the program under this section and in the  
12 program under s. 118.60 for which the school has space. The department shall by  
13 rule set the fee charged under this subdivision at an amount such that the total fee  
14 revenue covers the costs of employing one full-time auditor to evaluate the financial  
15 information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and  
16 under s. 118.60 (7) (am) and (d) 2. and 3.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009  
a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

17           **SECTION 5.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

18           119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that is a  
19 first-time participant in the program under this section or in the program under s.  
20 118.60 on or after July 1, 2009, and that is not accredited as provided under subd.  
21 7. a., the private school obtains preaccreditation by the Institute for the  
22 Transformation of Learning at Marquette University, Wisconsin North Central

1 Association, Wisconsin Religious and Independent Schools Accreditation,  
2 Independent Schools Association of the Central States, Wisconsin Evangelical  
3 Lutheran Synod School Accreditation, National Lutheran School Accreditation, or  
4 the diocese or archdiocese within which the private school is located by August 1  
5 before the first school term of participation in the program under this section <sup>✓</sup>or in  
6 the program under s. 118.60 <sup>✓</sup>that begins after July 1, 2009, or by May 1 if the private  
7 school begins participating in the program under this section <sup>✓</sup>~~on~~ <sup>or</sup>in the program  
8 under s. 118.60 <sup>✓</sup>during summer school. In any school year, a private school may apply  
9 for and seek to obtain preaccreditation from only one of the entities enumerated in  
10 this subd. 7. b. A private school that fails to obtain accreditation in a school year may  
11 apply for and seek to obtain preaccreditation from one of the entities enumerated in  
12 this subd. 7. b. in the following school year. The private school shall achieve  
13 accreditation by Wisconsin North Central Association, Wisconsin Religious and  
14 Independent Schools Accreditation, Independent Schools Association of the Central  
15 States, Wisconsin Evangelical Lutheran Synod School Accreditation, National  
16 Lutheran School Accreditation, the diocese or archdiocese within which the private  
17 school is located, or any other organization recognized by the National Council for  
18 Private School Accreditation, by December 31 of the 3rd school year following the  
19 first school year that begins after July 1, 2009, in which it participates in the program  
20 under this section or in the program under s. 118.60 <sup>✓</sup>. If the private school is  
21 accredited under this subd. 7. b., the private school is not required to obtain  
22 preaccreditation as a prerequisite to providing instruction under this section in  
23 additional grades or in an additional or new school.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

SECTION 6. 119.23 (2) (a) 7. c. of the statutes is amended to read:

1           119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or  
2 seeking to participate in the program under this section or in the program under s.  
3 118.60<sup>✓</sup> may not apply for accreditation by the Institute for the Transformation of  
4 Learning at Marquette University, except that a private school that has applied for  
5 accreditation to the Institute for the Transformation of Learning at Marquette  
6 University before July 1, 2009, may complete the accreditation process with the  
7 Institute for the Transformation of Learning at Marquette University, and may seek  
8 renewal of accreditation from the Institute for the Transformation of Learning at  
9 Marquette University.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

10           **SECTION 7.** 119.23 (5) of the statutes is amended to read:

11           119.23 (5) The state superintendent shall ensure that pupils and parents and  
12 guardians of pupils who reside in the city are informed annually of the private  
13 schools participating in the program under this section and in the program under s.  
14 118.60<sup>✓</sup>.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

15           **(END)**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1027/P1 P2  
TKK:jld:ph

d-note  
RMM

DOA:.....Hyneck, BB0326 - Choice Schools in Multiple Programs

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

x

do not gen

1

AN ACT ...; relating to: the budget. ✓

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, in order to participate in the Milwaukee Parental Choice Program (MPCP), a private school must notify DPI of its intent to participate in the MPCP and pay a fee established by DPI; in order to participate in the Racine Parental Choice Program (RPCP), the private school must separately notify DPI of its intent to participate in the RPCP and pay a fee established by DPI. Current law also requires a private school to obtain accreditation from an accrediting entity or organization in order to participate in a choice program. In addition, current law requires DPI to provide pupils who are eligible to enroll in a participating private school, or the parents or guardians of those pupils, with a list of the names of any such participating private school.

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4       or in the program under s. 119.23, and paid the nonrefundable fee, set by the  
5       department as required under s. 119.23 (2) (a) 3., by February 1 of the previous school  
6       year. The notice shall specify the number of pupils participating in the program  
7       under this section and in the program under s. 119.23 for which the school has space.

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10      program under this section or in the program under s. 119.23, and that is not  
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12      Independent School Accreditation, Independent Schools Association of the Central  
13      States, Wisconsin Evangelical Lutheran Synod School Accreditation, National  
14      Lutheran School Accreditation, the diocese or archdiocese within which the private  
15      school is located, or by any other organization recognized by the National Council for  
16      Private Schools Accreditation, the private school obtains preaccreditation by the  
17      Institute for the Transformation of Learning at Marquette University, Wisconsin  
18      North Central Association, Wisconsin Religious and Independent Schools  
19      Accreditation, Independent Schools Association of the Central States, Wisconsin  
20      Evangelical Lutheran Synod School Accreditation, National Lutheran School  
21      Accreditation, or the diocese or archdiocese within which the private school is located

6

by September 1 before the first school term of participation in the program under this section or in the program under s. 119.23 that begins after August 31, 2011; by August 1 before the first school term of participation in the program under this section that begins in the first school year that begins after a school district is identified as an eligible school district under sub. (1m) or 2011 Wisconsin Act 32, section 9137 (3u); or by May 1 if the private school begins participation in the program under this section or under s. 119.23 during summer school. In any school year, a private school may apply for and seek to obtain preaccreditation from only one of the entities enumerated in this subdivision. A private school that fails to obtain accreditation in a school year may apply for and seek to obtain preaccreditation from one of the entities enumerated in this subdivision in the following school year. The private school shall achieve accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year in which the private school begins participation in the program under this section or in the program under s. 119.23. If the private school is accredited under this subdivision, the private school is not required to obtain preaccreditation as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

\*\*\*\*NOTE: I amended this provision to clarify that a private school that has obtained accreditation as required under this s. 118.60 (2) (a) 7. would not need to separately obtain accreditation in order to participate in the program under s. 119.23. I made similar amendments to s. 119.23 (2) (a) 7., below. Please let me know if this is not consistent with your intent.

1       **SECTION 3.** 118.60 (5) of the statutes is amended to read:

2       118.60 (5) The state superintendent shall ensure that pupils and parents and  
3       guardians of pupils who reside in an eligible school district are informed annually  
4       of the private schools participating in the program under this section and in the  
5       program under s. 119.23.

6       Ce       \*\*\*\*NOTE: I amended this s. 118.60 (5) to ensure that DPI informs pupils of any  
7       schools that have identified themselves as participating in one program but not the other.  
8       See, also, the treatment of s. 119.23 (5), below. Please let me know if this is not consistent  
9       with your intent.

10       **SECTION 4.** 119.23 (2) (a) 3. of the statutes is amended to read:

11       119.23 (2) (a) 3. Except as provided in subd. 3m. b., the private school notified  
12       the state superintendent of its intent to participate in the program under this section  
13       or in the program under s. 118.60, and paid ~~a~~ the nonrefundable annual fee set by  
14       the department, by February 1 of the previous school year. The notice shall specify  
15       the number of pupils participating in the program under this section and in the  
16       program under s. 118.60 for which the school has space. The department shall by  
17       rule set the fee charged under this subdivision at an amount such that the total fee  
18       revenue covers the costs of employing one full-time auditor to evaluate the financial  
19       information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and  
20       under s. 118.60 (7) (am) and (d) 2. and 3.

21       **SECTION 5.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

22       119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that is a  
23       first-time participant in the program under this section or in the program under s.  
24       118.60 on or after July 1, 2009, and that is not accredited as provided under subd.  
25       7. a., the private school obtains preaccreditation by the Institute for the  
26       Transformation of Learning at Marquette University, Wisconsin North Central  
27       Association, Wisconsin Religious and Independent Schools Accreditation,

2013 - 2014 Legislature

(5)

✓

July 1, ✓

2013 by August 15 before the first school term of participation in the program under s. 118.60 that begins in the first school year that begins after a school district is identified as an eligible school district under s. 118.60(1m)(b); ✓

1 Independent Schools Association of the Central States, Wisconsin Evangelical

2 Lutheran Synod School Accreditation, National Lutheran School Accreditation, or

3 the diocese or archdiocese within which the private school is located by August 1

④ before the first school term of participation in the program under this section or in

⑤ the program under s. 118.60 that begins after July 1, 2009, or by May 1 if the private

6 school begins participating in the program under this section or in the program

7 under s. 118.60 during summer school. In any school year, a private school may apply

8 for and seek to obtain preaccreditation from only one of the entities enumerated in

9 this subd. 7. b. A private school that fails to obtain accreditation in a school year may

10 apply for and seek to obtain preaccreditation from one of the entities enumerated in

11 this subd. 7. b. in the following school year. The private school shall achieve

12 accreditation by Wisconsin North Central Association, Wisconsin Religious and

13 Independent Schools Accreditation, Independent Schools Association of the Central

14 States, Wisconsin Evangelical Lutheran Synod School Accreditation, National

15 Lutheran School Accreditation, the diocese or archdiocese within which the private

16 school is located, or any other organization recognized by the National Council for

17 Private School Accreditation, by December 31 of the 3rd school year following the

18 first school year that begins after July 1, 2009, in which it participates in the program

19 under this section or in the program under s. 118.60. If the private school is

20 accredited under this subd. 7. b., the private school is not required to obtain

21 preaccreditation as a prerequisite to providing instruction under this section in

22 additional grades or in an additional or new school.

23 SECTION 6. 119.23 (2) (a) 7. c. of the statutes is amended to read:

24 119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or

25 seeking to participate in the program under this section or in the program under s.



1 118.60 may not apply for accreditation by the Institute for the Transformation of  
2 Learning at Marquette University, except that a private school that has applied for  
3 accreditation to the Institute for the Transformation of Learning at Marquette  
4 University before July 1, 2009, may complete the accreditation process with the  
5 Institute for the Transformation of Learning at Marquette University, and may seek  
6 renewal of accreditation from the Institute for the Transformation of Learning at  
7 Marquette University.

8 SECTION 7. 119.23 (5) of the statutes is amended to read:

9 119.23 (5) The state superintendent shall ensure that pupils and parents and  
10 guardians of pupils who reside in the city are informed annually of the private  
11 schools participating in the program under this section and in the program under s.  
12 118.60.

13 (END)

d-note  
↓

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**


2  
LRB-1027/P3dn

TKK:jld:ph

↑  
Keep

date

Sara:

\* This draft reconciles LRB-1026/P5<sup>✓</sup> and LRB-1027/P1<sup>✓</sup>. The treatments to section 118.60 (2) (a) 3. a<sup>✓</sup> and 7<sup>✓</sup> are deleted from this draft. The treatment of these sections have been incorporated into the treatment of those sections in LRB-1026/P6<sup>✓</sup>. Both LRB-1026 and LRB-1027 should continue to appear in the compiled bill. 

This draft also makes a substantive change to s. 119.23 (2) (a) 7. b<sup>✓</sup> to reflect the different preaccreditation<sup>✓</sup> deadlines applicable to private schools that are first-time participants in either choice program (August 1) and to private schools that are first-time participants in the program under s. 118.60<sup>✓</sup> in the same year in which the school district has first become an eligible school district (August 15). A similar change is made to s. 118.60 (2) (a) 7<sup>✓</sup> in LRB-1026/P6<sup>✓</sup>.

Let me know if you have any questions about these changes. <sup>✓</sup>

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1027/P2dn  
TKK:jld:ph

February 13, 2013

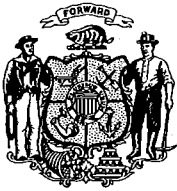
Sara:

This draft reconciles LRB-1026/P5 and LRB-1027/P1. The treatments to s. 118.60 (2) (a) 3. a. and 7. are deleted from this draft. The treatment of these sections have been incorporated into the treatment of those sections in LRB-1026/P6. Both LRB-1026 and LRB-1027 should continue to appear in the compiled bill.

This draft also makes a substantive change to s. 119.23 (2) (a) 7. b. to reflect the different preaccreditation deadlines applicable to private schools that are first-time participants in either choice program (August 1) and to private schools that are first-time participants in the program under s. 118.60 in the same year in which the school district has first become an eligible school district (August 15). A similar change is made to s. 118.60 (2) (a) 7. in LRB-1026/P6.

Let me know if you have any questions about these changes.

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State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1027/P2

TKK:jld:ph

DOA:.....Hynek, BB0326 – Choice Schools in Multiple Programs

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to: the budget.**

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, in order to participate in the Milwaukee Parental Choice Program (MPCP), a private school must notify DPI of its intent to participate in the MPCP and pay a fee established by DPI; in order to participate in the Racine Parental Choice Program (RPCP), the private school must separately notify DPI of its intent to participate in the RPCP and pay a fee established by DPI. Current law also requires a private school to obtain accreditation from an accrediting entity or organization in order to participate in a choice program. In addition, current law requires DPI to provide pupils who are eligible to enroll in a participating private school, or the parents or guardians of those pupils, with a list of the names of any such participating private school.

This bill provides that a private school may participate in the MPCP if it has paid the fee to and notified DPI of its intent to participate in the RPCP, and may participate in the RPCP if it has paid the fee to and notified DPI of its intent to participate in the MPCP. The bill also clarifies that a participating private school that has satisfied the accreditation requirements under one choice program also satisfies the accreditation requirements to participate in the other choice program.

Finally, the bill requires DPI to provide eligible pupils or their parents or guardians of a list of private schools participating in both the MPCP and the RPCP.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 118.60 (5) of the statutes is amended to read:

2           118.60 (5) The state superintendent shall ensure that pupils and parents and  
3 guardians of pupils who reside in an eligible school district are informed annually  
4 of the private schools participating in the program under this section and in the  
5 program under s. 119.23.

6           **SECTION 2.** 119.23 (2) (a) 3. of the statutes is amended to read:

7           119.23 (2) (a) 3. Except as provided in subd. 3m. b., the private school notified  
8 the state superintendent of its intent to participate in the program under this section  
9 or in the program under s. 118.60, and paid ~~a~~ the nonrefundable annual fee set by  
10 the department, by February 1 of the previous school year. The notice shall specify  
11 the number of pupils participating in the program under this section and in the  
12 program under s. 118.60 for which the school has space. The department shall by  
13 rule set the fee charged under this subdivision at an amount such that the total fee  
14 revenue covers the costs of employing one full-time auditor to evaluate the financial  
15 information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and  
16 under s. 118.60 (7) (am) and (d) 2. and 3.

17           **SECTION 3.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

18           119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that is a  
19 first-time participant in the program under this section or in the program under s.  
20 118.60 on or after July 1, 2009, and that is not accredited as provided under subd.  
21 7. a., the private school obtains preaccreditation by the Institute for the

1 Transformation of Learning at Marquette University, Wisconsin North Central  
2 Association, Wisconsin Religious and Independent Schools Accreditation,  
3 Independent Schools Association of the Central States, Wisconsin Evangelical  
4 Lutheran Synod School Accreditation, National Lutheran School Accreditation, or  
5 the diocese or archdiocese within which the private school is located by August 1  
6 before the first school term of participation in the program under this section that  
7 begins after July 1, 2009, July 1, 2013; by August 15 before the first school term of  
8 participation in the program under s. 118.60 that begins in the first school year that  
9 begins after a school district is identified as an eligible school district under s. 118.60  
10 (1m) (b); or by May 1 if the private school begins participating in the program under  
11 this section or in the program under s. 118.60 during summer school. In any school  
12 year, a private school may apply for and seek to obtain preaccreditation from only one  
13 of the entities enumerated in this subd. 7. b. A private school that fails to obtain  
14 accreditation in a school year may apply for and seek to obtain preaccreditation from  
15 one of the entities enumerated in this subd. 7. b. in the following school year. The  
16 private school shall achieve accreditation by Wisconsin North Central Association,  
17 Wisconsin Religious and Independent Schools Accreditation, Independent Schools  
18 Association of the Central States, Wisconsin Evangelical Lutheran Synod School  
19 Accreditation, National Lutheran School Accreditation, the diocese or archdiocese  
20 within which the private school is located, or any other organization recognized by  
21 the National Council for Private School Accreditation, by December 31 of the 3rd  
22 school year following the first school year that begins after July 1, 2009, in which it  
23 participates in the program under this section or in the program under s. 118.60. If  
24 the private school is accredited under this subd. 7. b., the private school is not

1 required to obtain preaccreditation as a prerequisite to providing instruction under  
2 this section in additional grades or in an additional or new school.

3 **SECTION 4.** 119.23 (2) (a) 7. c. of the statutes is amended to read:

4 119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or  
5 seeking to participate in the program under this section or in the program under s.  
6 118.60 may not apply for accreditation by the Institute for the Transformation of  
7 Learning at Marquette University, except that a private school that has applied for  
8 accreditation to the Institute for the Transformation of Learning at Marquette  
9 University before July 1, 2009, may complete the accreditation process with the  
10 Institute for the Transformation of Learning at Marquette University, and may seek  
11 renewal of accreditation from the Institute for the Transformation of Learning at  
12 Marquette University.

13 **SECTION 5.** 119.23 (5) of the statutes is amended to read:

14 119.23 (5) The state superintendent shall ensure that pupils and parents and  
15 guardians of pupils who reside in the city are informed annually of the private  
16 schools participating in the program under this section and in the program under s.  
17 118.60.

18 (END)